

**City University of Hong Kong  
Course Syllabus**

**offered by School of Law  
with effect from Semester A 2024/2025**

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**Part I Course Overview**

**Course Title:** Trial Advocacy

**Course Code:** PLE5052

**Course Duration:** Semester B (2 weeks and 1 day)

**Credit Units:** 2

**Level:** P

**Medium of Instruction:** English

**Medium of Assessment:** English

**Prerequisites:**  
(Course Code and Title) Nil

**Precursors:**  
(Course Code and Title) Nil

**Equivalent Courses:**  
(Course Code and Title) Nil

**Exclusive Courses:**  
(Course Code and Title) Nil

## Part II Course Details

### 1. Abstract

This course aims to prepare students for the practice of trial advocacy in both criminal and civil matters.

### 2. Course Intended Learning Outcomes (CILOs)

(CILOs state what the student is expected to be able to do at the end of the course according to a given standard of performance.)

No.	CILOs	Weighting (if applicable)	Discovery-enriched curriculum related learning outcomes (please tick where appropriate)		
			A1	A2	A3
1.	Conduct simulations of a criminal trial including: <ul style="list-style-type: none"> <li>○ preparing the matter for trial</li> <li>○ conducting an examination in chief</li> <li>○ conducting a cross-examination</li> <li>○ conducting a closing address.</li> </ul>	50	✓	✓	✓
2.	Conduct simulations of a civil trial including: <ul style="list-style-type: none"> <li>○ preparing the matter for trial</li> <li>○ conducting an opening address</li> <li>○ conducting a cross-examination</li> <li>○ conducting a re-examination</li> <li>○ conducting a closing address.</li> </ul>	50	✓	✓	✓
		100%			

A1: Attitude

*Develop an attitude of discovery/innovation/creativity, as demonstrated by students possessing a strong sense of curiosity, asking questions actively, challenging assumptions or engaging in inquiry together with teachers.*

A2: Ability

*Develop the ability/skill needed to discover/innovate/create, as demonstrated by students possessing critical thinking skills to assess ideas, acquiring research skills, synthesizing knowledge across disciplines or applying academic knowledge to real-life problems.*

A3: Accomplishments

*Demonstrate accomplishment of discovery/innovation/creativity through producing /constructing creative works/new artefacts, effective solutions to real-life problems or new processes.*

### 3. Learning and Teaching Activities (LTAs)

(LTAs designed to facilitate students' achievement of the CILOs.)

LTA	Brief Description	CILO No.		Hours/week (if applicable)
		1	2	
Large group – criminal component	Students will engage in interactive classes during a one week intensive course: <ul style="list-style-type: none"> <li>● observing/discussing principles concerning preparation of a matter in a criminal trial</li> <li>● observing/discussing principles of an examination in chief in a criminal trial</li> </ul>	✓		

	<ul style="list-style-type: none"> <li>observing/discussing principles of cross-examination and re-examination in a criminal trial</li> <li>observing/discussing principles of closing submissions in a criminal trial</li> </ul>			
Large group – civil component	<p>Students will engage in interactive classes during a one week intensive course:</p> <ul style="list-style-type: none"> <li>observing/discussing principles relating to preparation of a matter in a civil trial</li> <li>observing/discussing principles of an opening address in a civil trial</li> <li>observing/discussing principles of an examination-in-chief in a civil trial</li> <li>observing/discussing principles of a cross-examination in a civil trial</li> <li>observing/discussing principles of a re-examination in a civil trial</li> <li>observing/discussing principles of closing submissions in a civil trial</li> </ul>		✓	
Guided learning - criminal component	<p>Students under the guidance of the lecturer will engage in preparation of a simulated:</p> <ul style="list-style-type: none"> <li>matter in a criminal trial</li> <li>examination in chief in a criminal trial</li> <li>cross-examination in a criminal trial</li> <li>closing submissions in a criminal trial</li> </ul>	✓		
Guided learning - civil component	<p>Students under the guidance of the lecturer will engage in a simulated preparation of a simulated:</p> <ul style="list-style-type: none"> <li>matter in a civil trial</li> <li>opening address in a civil trial</li> <li>cross-examination in a civil trial</li> <li>closing submissions in a criminal trial</li> </ul>		✓	
Small groups - criminal component	<ul style="list-style-type: none"> <li>Students will individually conduct simulations of: <ul style="list-style-type: none"> <li>Preparation of a matter in a criminal trial</li> <li>an examination in chief in a criminal trial</li> <li>a cross-examination in a criminal trial</li> <li>closing submissions in a criminal trial</li> </ul> </li> <li>Students will also discuss attendant feedback from their tutors</li> </ul>	✓		
Small groups - civil component	<ul style="list-style-type: none"> <li>Students will individually conduct simulations of: <ul style="list-style-type: none"> <li>preparation of a matter in a civil trial</li> <li>an opening address in a civil trial</li> <li>a cross-examination in a civil trial</li> <li>closing submissions in a civil trial</li> </ul> </li> <li>Students will also discuss attendant feedback from their tutors</li> </ul>		✓	
Video feedback –	Students will discuss feedback from their tutors in allocated pairs in a specially designated session	✓		

criminal component	based on a video-recording of one of the matters they individually conducted in the criminal component of one of their small groups.			
Video feedback – civil component	Students will discuss feedback from their tutors in allocated pairs in a specially designated session based on a video-recording of one of the matters they individually conducted in the civil component of their small groups		✓	
Pre-reading – criminal component	Desk Book		✓	
High Court Mock Civil Trial	<ul style="list-style-type: none"> <li>• As part of their formative assessment, students will conduct one or more of the following simulated tasks in the High Court Mock Civil Trial in Hong Kong (in either a morning or afternoon session) on a designated day: <ul style="list-style-type: none"> <li>▪ an opening address</li> <li>▪ a cross-examination</li> <li>▪ closing submissions</li> </ul> </li> <li>• As far as possible, all students (which may involve sharing questions) should conduct all, or part of, a re-examination of a witness</li> <li>• Students will also discuss attendant feedback from their presiding judge after they have conducted their case</li> <li>• Students (in the session in which they did not conduct a case) will also act either: <ul style="list-style-type: none"> <li>▪ as witnesses; or</li> <li>▪ court clerks.</li> </ul> </li> </ul>		✓	

#### 4. Assessment Tasks/Activities (ATs)

(ATs are designed to assess how well the students achieve the CILOs.)

Assessment Tasks/Activities	CILO No.		Weighting	Remarks
	1	2		
Continuous Assessment: 100%				
This is assessed in Assessment 1	✓		50%	The use of Generative AI tools is not allowed.
This is assessed in Assessment 2		✓	50%	
Examination: ____% (duration: _____, if applicable)				
			100%	

Remark: Students undertaking the Bar Course must undertake this High Court Mock Trial in order to pass this Trial Advocacy Course. Students who are unable to conduct their advocacy related tasks on the designated day of their High Court Mock Trial (with extenuating circumstances) will need to complete an equivalent task. Students who do not participate as directed (with extenuating circumstances) as observers or court clerks (as directed) will need to attend a civil trial physically in person in the Court of First Instance in Hong Kong for 3 hours and complete a court report in a manner designated by the Course Leader.

## 5. Assessment Rubrics

(Grading of student achievements is based on student performance in assessment tasks/activities with the following rubrics.)

Assessment Task	Criterion	Excellent (A+, A, A-)	Good (B+, B, B-)	Fair (C+, C, C-*)	Marginal (D*)	Failure (F)
1. Examination-in-chief or cross-examination of a witness or a closing submission in the criminal component of this Course (50%).	Students need to achieve a total of 50% across both assessments in this Course	Students should be able to reach a standard ranging from very competent to outstanding (at the higher end of the range) across the following skills: <ul style="list-style-type: none"> <li>• grasp of the issues and the subject matter</li> <li>• organization</li> <li>• capacity to analyse and synthesize</li> <li>• use of court room advocacy skills</li> </ul>	Students should be able to reach a good standard across the following skills: <ul style="list-style-type: none"> <li>• grasp of the issues and the subject matter</li> <li>• organization</li> <li>• capacity to analyse and synthesize</li> <li>• use of court room advocacy skills</li> </ul>	Students should be able to reach a competent standard across the following skills: <ul style="list-style-type: none"> <li>• grasp of the issues and the subject matter</li> <li>• organization</li> <li>• capacity to analyse and synthesize</li> <li>• use of court room advocacy skills</li> </ul>	N/A	Students have failed to reach a competent standard across the following skills: <ul style="list-style-type: none"> <li>• grasp of the issues and the subject matter</li> <li>• organization</li> <li>• capacity to analyse and synthesize</li> <li>• use of court room advocacy skills</li> </ul>
2. Cross-examination of a witness or an opening submission or a closing submission in the civil component of this Course (50%).						

\* Note: The University's grades C- and D are not used in the PCLL.

## **Part III Other Information** (more details can be provided separately in the teaching plan)

### **1. Keyword Syllabus**

*(An indication of the key topics of the course.)*

- Court etiquette and procedure
- Trial advocacy techniques
- Evidentiary issues
- Professional conduct issues
- Examination- in-chief in a criminal matter
- Cross-examination in a criminal matter
- Re-examination in a criminal matter
- Closing submissions in a criminal matter
- Opening submissions in a civil matter
- Examination-in-chief in a civil matter
- Cross-examination in a civil matter
- Re-examination in a civil matter
- Closing submissions in a civil matter

### **2. Reading List**

#### **2.1 Compulsory Readings**

*(Compulsory readings can include books, book chapters, or journal/magazine articles. There are also collections of e-books, e-journals available from the CityU Library.)*

These include the Trial Advocacy Desk Book and all the Course Materials for this course. The other recommended and required references and reading for each topic will be found in the Desk Book and in the Course Materials for each topic.

#### **2.2 Additional Readings**

*(Additional references for students to learn to expand their knowledge about the subject.)*

- Bilingual Laws Information System - Hong Kong Ordinances and Subsidiary Legislation (<http://www.legislation.gov.hk/eng/home.htm>)
- Lexis and/or Westlaw - available through “Electronic Resources” section of the Run Run Shaw Library website
- M Wilkinson and V Rajwani and R Pierce - *Advocacy & The Litigation Process in Hong Kong* (3<sup>rd</sup> ed. Hong Kong: LexisNexis 2007)
- Hong Kong Civil Procedure - *Hong Kong White Book Series* Volumes 1 and 2 (2021)
- Archbold Hong Kong - *Criminal Law, Pleadings, Evidence and Practice* (Hong Kong: Sweet and Maxwell 2021)
- Thomas A Mauet & Les A McCrimmon - *Fundamentals of Trial Techniques* (Third Edition Sydney: Thomson Reuters 2011)
- Simon N M Young - *Hong Kong Evidence Casebook* (Hong Kong: Sweet & Maxwell Asia 2011)